

MILPITAS PLANNING COMMISSION AGENDA REPORT

Category: Public Hearings

Report prepared by: Troy Fujimoto

Public Hearing: Yes: ☒ No: ☐

Notices Mailed On: 5-1-03 Published On: 5-1-03 Posted On: 5-2-03

TITLE: USE PERMIT NO. P-UP2003-16

Proposal: Request for approval of a 3,200 square foot religious facility in an existing building in the Heavy Industrial district and a parking modification (parking reduction of two (2) required spaces)

Location: 1757 Houret Court

APN: 086-41-009

RECOMMENDATION: Approval with conditions

Applicants: Calvary Chapel Milpitas, 4634 Crawford Court, Fremont, CA 94539.
attn: Jacob Denys

Property Owner: Gregory R. Gray Trustee et al, 1352 Lincoln Ave, San Jose, CA 95125. attn: Gregory Gray

Previous Action(s): "S" Zone Approval

General Plan Designation: Heavy Industrial

Present Zoning: Heavy Industrial with an S-Zone Overlay (M2-S)

Existing Land Use: Multi-tenant industrial building

Agenda Sent To: Applicant & Owner (as noted above)

Attachments: Plans
Parking Analysis
Letter from Applicant
Planning Commission Resolution No. 168, a resolution of standard conditions for commercial development

PJ#2332

BACKGROUND

In July 1979, the Planning Commission granted Site and Architectural approval for a 17,000 square foot multi-tenant industrial building on the southwest corner of Houret Court. Subsequent approvals included a fence enclosure for a chemical storage area at the rear of the property.

Site and Area Description

The project site is located on an approximate 1-acre parcel off of Houret Court on the southwest corner of the intersection of Houret Court and Houret Drive. The approximate 17,000 square foot building is surrounded by parking on the southern, eastern, and western sides of the building. Landscaping is concentrated on the southern, northern, and eastern sides of the property. The site has three garbage enclosures located at the southern, eastern, and western portions of the parcel.

The subject site is surrounded by other light and heavy industrial uses. Further to the east are the South Bay Athletic Club and Montague Expressway.



View looking west at the building.

THE APPLICATION

Pursuant to Milpitas Municipal Code Sections 31.03-4.1 (Heavy Industrial, Conditional Uses – Churches) and Section 57.00 (Use Permits), the applicant is requesting approval of Use Permit No. P-UP2003-16 for a religious facility, as it is conditionally permitted within the M2 zoning district. In addition, pursuant to Section 57.02-18 (Additional Uses Permitted, Conditional Uses), the applicant is requesting a nine (9) space parking reduction.

The applicant requests approval to convert a portion (3,200 square feet) of the industrial building into a religious facility that will include classrooms, offices, prayer and break rooms, and a 157 seat sanctuary. The applicant proposes to have two weekly worship times, one from 9:00AM to 12:00 PM on Sunday mornings and the other at 7:00PM to 9:00PM on Wednesday evenings.

PROJECT DESCRIPTION

Facility Operation

The 3,200 square foot facility consists of a church sanctuary, classrooms, offices, and a prayer and break room.

- **Sanctuary:** The applicant is proposing a 157-seat sanctuary. The applicant is proposing to hold two separate worship services, one on Sunday and one on Wednesday. This will help to relieve the amount of parishioners attending any one worship time.
- **Classrooms:** The applicant is proposing two classrooms where various teaching and religious instruction will occur on Wednesday evenings and during Sunday school.
- **Prayer Room:** Used by the pastor or members for individual prayer. When used by members, the prayer room will be used before or after the larger prayer service in the sanctuary.
- **Offices:** The applicant is proposing offices for day-to-day activity within the religious facility.

Building and Site Modifications

Per the requested change in use, building modifications are required, including the addition of a new door at the eastern face of the building. The applicant is proposing that this new door will be architecturally similar to and painted to match existing access doors on the building.

The applicant is also modifying the on-site parking spaces. Because of handicap requirements, the applicant is required to remove existing stalls to include larger handicap parking spaces. Two new handicap parking spaces will be included on the western end of the parking field.

Landscaping

The site has an approved landscaping plan on file with the City. After a site visit, staff noticed that there were inconsistencies with the existing landscaping and what was approved. Further discussion is provided later in the staff report.

ISSUES

USE PERMIT FINDINGS

Any approval of a Use Permit or Use Permit Amendment requires that the Planning Commission make the following findings:

1. The proposed use is consistent with the Milpitas Zoning Ordinance.
2. The proposed use is consistent with the Milpitas General Plan.
3. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare.

The following sections explain how the proposed project, as conditioned, meets these findings.

Conformance with the Zoning Ordinance and General Plan

The proposed church facility is consistent with the "M2" Zoning District. The M2 District conditionally permits religious facilities (churches), following review and approval by the Planning Commission. The application is not modifying the building in any way except for the

addition of a new door. As such, the existing development continues to comply with the M2 District as shown on the table on the next page.

Zoning Development Standard	Proposed Project	Complies?
Building Height: no limit, heights above 35 feet are permitted with PC finding height not detrimental	18 feet	Yes
Floor Area Ratio: 40% allowed	39%	Yes
Parking: Min. 1 stall per 5 seats in sanctuary	31 spaces	No, see parking section below
Setbacks: front = 25 feet; side = 0 feet; rear = 0 feet	Varies	Yes

The proposed use does not conflict with any General Plan policies, and is consistent with Guiding Principle 2.d-G-2, which encourages development of adequate civic, recreational and cultural centers in locations for the best service to the community and in ways which will protect and promote community beauty and growth. While the site is located amidst industrial uses, on a larger scale, the location provides convenient access to parishioners who live both in the City and in nearby communities.

Conformance with the Midtown Plan

The proposed project is located within the Midtown Specific Plan. Because the proposed use (project) is requiring 50% more parking space than the previous use (industrial with offices), 31 spaces (new) versus 9 spaces (old), the proposed project is subject to the Midtown Plan and its associated design guidelines where applicable. However, because the building and site are already developed and because the religious facility will be occupying one of many tenant spaces, staff examined the project to determine what aspects of the Midtown Plan can be met. The following sections describe this in further detail.

Solid Waste/Recycling

The applicant is not proposing any new garbage facilities. Currently the site is served by three garbage enclosures. After review by the Solid Waste Division, it was determined that the existing facilities would be adequate to serve the new use. In addition, it is expected that the new use would not generate higher levels of garbage than the previous industrial use.

Landscaping

The site has a previously approved landscaping plan. After review of the site plan and a site visit to verify landscaping, it was determined that there were over 10 trees missing from the site. As with any other site in the City and required by code, landscaping is to be maintained on the site for the life of the project. However, the site visit revealed that some of the trees shown on the approved site plan would not be able to survive (due to a lack of sufficient area to allow growth) or would physically damage existing structures and pavement. As such, staff acknowledged that

six (6) trees along the northwest border of the property would not be required to be replaced. However, the other trees as shown on the plan would have to be replaced. The remaining trees would still meet the recommended number as per the Midtown Plan (trees in surface parking lots, Chapter 8, Section A.3.e). As such, **staff recommends** the applicant bring the site into conformance with the approved landscaping plan, except for the six (6) trees on the northwestern edge of the site.

Parking

The Zoning Ordinance sets a minimum parking standard for religious facilities based on the seating or occupancy of the sanctuary or main assembly area. The minimum standard is one space per five (5) seats (or its equivalent). Therefore, the minimum required parking for this project, based on 157 sanctuary seats, is 31 parking spaces. Based on existing uses, the applicant is allocated 9 parking spaces (46 spaces on the total site). However, the site currently has an excess of 22 parking spaces. In addition, because of the proposed use, a requirement of two additional handicap spaces will lower the total site parking to 44 spaces, thus causing the site to be parking deficient. The parking situation is shown in the table below:

	Supply	Parking Capacity	Spaces Needed
Existing on-site spaces	46		
Parking spaces allocated to tenant space		9	
Current excess on-site spaces		22	
On-site parking spaces available for proposed use		31	
Parking requirement for proposed use			31
Parking spaces lost due to handicap requirements			2
Parking needed for proposed use			33
Proposed on-site parking spaces	44		
Parking deficit			2 spaces

Because of the parking deficit, staff had concerns with parking supply for this use in this location. Therefore, staff required the applicant to submit a parking survey of their existing religious facility in Fremont and a parking survey at the proposed site during the peak hours of impact. The results of the parking survey are shown in the table below:

Date	Time	Vacant stalls	Time	Vacant stalls
March 26, 2003 (Wednesday)	6:00PM	39	9:00PM	37
	7:00PM	39	10:00PM	40
	8:00PM	35		
March 30, 2003 (Sunday)	8:00AM	41	11:00AM	31
	9:00AM	39	12:00PM	32
	10:00AM	36	1:00PM	40
April 2, 2003 (Wednesday)	6:00PM	38	9:00PM	41
	7:00PM	40	10:00PM	40
	8:00PM	40		
April 6, 2003 (Sunday)	8:00AM	41	11:00AM	30
	9:00AM	38	12:00PM	31
	10:00AM	34	1:00PM	37

The results of the survey show that during the hours of peak usage, there are enough vacant spaces on-site to accommodate the expected demand of 31 vehicles (per the zoning ordinance – one (1) space per five (5) seats). However, because the results of the survey showed a couple of survey hours close to the 31 space requirement, *staff recommends* a six-month review in regards to parking to ensure that there is adequate on-site parking.

Neighborhood/Community Impact

As conditioned, the proposed religious facility is not anticipated to create a negative community impact. The project is well-suited to the site and peak-parking demands will occur on Sundays and Wednesday evenings, which is not when neighboring tenants experience their peak demand. Therefore, staff concludes that the project as conditioned, will not negatively impact the surrounding neighborhood.

RECOMMENDATION

Close the Public Hearing. Approve the Use Permit (P-UP2003-16) based on the Findings and Special Conditions of Approval listed below:

FINDINGS

1. The proposed project is categorically exempt from further environmental review pursuant to Class 1, Section 15301 (Existing Facilities) of the State CEQA Guidelines.
2. The proposed religious facility complies with the City's Zoning Ordinance in terms of land use and development standards for the Heavy Industrial zoning district.

3. The project is consistent with the Milpitas General Plan in that it provides a religious facility in a location that will serve the both the immediate and larger neighborhood (Citywide).
4. The project, as conditioned, is consistent with the Midtown Specific Plan in that it provides landscaping that meets the Midtown Plan guidelines.
5. The project is not anticipated to result in a negative community impact as religious facilities are allowed with appropriate conditions within the M2 Zoning District

SPECIAL CONDITIONS

1. This Use Permit No. P-UP2003-16 approval is for an approximate 3,200 square foot religious facility within an existing industrial building and a two (2) space parking reduction, all in accordance with the plans approved on May 14, 2003. Any modification to the project as proposed will require an "S" Zone Approval Amendment and/or Use Permit Amendment by the Planning Commission. Minor modifications can be submitted to the Planning Division for processing pursuant to Section 42 of the zoning ordinance. (P)
2. This use shall be conducted in compliance with all appropriate local, state and federal laws and regulations, and in conformance with the approved plans. (P)
3. The applicant shall comply with Planning Commission Resolution No. 168, a resolution of standard conditions for commercial development. (Item #9 - P)
- 4. This use permit approval is not for any day care facilities. If day care facilities are to be proposed an amendment to the Use Permit will be required by the Planning Commission. (P)
5. If any new rooftop mounted equipment (HVAC, etc.) is proposed, it shall be screened from all views. (P)
6. The applicant shall bring the site into conformance with the approved landscaping plan, except for the six (6) trees on the northwestern edge of the site prior to the issuance of a Certificate of Occupancy. (P)
7. If at the time of application for permit there is a project job account balance due to the City for recovery of review fees, review of permits will not be initiated until the balance is paid in full. (P)
8. If at the time of application for a certificate of occupancy there is a project job account balance due to the City for recovery of review fees, a certificate of occupancy shall not be issued until the balance is paid in full. (P)
9. Any occupancy of the tenant space shall not occur until all conditions of approval have been satisfied and verified by the City. (P)
10. Six months after issuance of a Certificate of Occupancy, a public hearing and review shall occur in regards to parking and garbage. The applicant shall be responsible for all fees and submittal requirements in regards to this review. (P)
11. Prior to occupancy permit issuance, the applicant shall submit evidence to the City that the following minimum refuse and recycling services have been subscribed with BFI for both commercial and residential use:

- a. Maintain an adequate level of service for trash collection and recycling. Subscribe to one, 3-cyd bin for trash with collection starting at 3 times per week & one 3-cyd bin for recycle collected one time per week.
- b. Maintain existing enclosures to house recycle & trash front-load service bins inside enclosures at all times, except for regularly scheduled collection services.

After the applicant has started its business, the solid waste service shall be evaluated by BFI commercial representative to determine the adequacy of the service level. If it is found to be inadequate, the applicant shall increase the service to the level determined by the evaluation. For general information, contact BFI at (408) 432-1234. (E)

12. The developer shall submit a Sewer Needs Questionnaire and/or Industrial Waste Questionnaire with the building permit application and pay the related fees prior to Building Permit issuance by the Building Division. Contact the Land Development Section at (408) 586-3329 to obtain the form(s). (E)

(P) = Planning Division

(E) = Engineering

NOTES TO THE APPLICANT

The following notes pertain to administration of the City codes and ordinances that are not part of the zoning ordinance regulations. The applicant shall not consider these notes as approval from any Department. Additional requirements may be made prior to permit issuance. These notes are provided to assist in the permit process if approval is granted.

Planning Division (for further information regarding these notes, contact Troy Fujimoto, 408/586-3287)

1. All plans submitted for Building Permits must provide a list of the project's Conditions of Approval.

Engineering Division (for further information regarding these notes, contact Robert Wang, 408/586-3287)

1. It is the responsibility of the developer to obtain any necessary encroachment permits from affected agencies and private parties. Copies of these approvals or permits must be submitted to the City of Milpitas Engineering Division.
2. Prior to building permit issuance, developer must pay all applicable development fees, including but not limited to, plan check and inspection deposit.
3. The developer shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities.
4. The U.S. Environmental Protection Agency (EPA) has empowered the San Francisco Bay Regional Water Quality Control Board (RWQCB) to administer the National Pollution Elimination Discharge System (NPDES) permit. The NPDES permit requires all dischargers to eliminate as much as possible pollutants entering our receiving waters. Contact the RWQCB for questions regarding your specific requirements at (800) 794-2482. For general information, contact the City of Milpitas at (408) 586-3329.

5. The Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) under the National Flood Insurance Program shows this site to be in A Special Flood Hazard Area, Zone AO (depth 1). The proposed work to the existing structure is considered a non-substantial improvement and the zone designation is given for information only.

Building Division (for further information regarding these notes, contact Veronica Valenti, 408/586-3241)

1. A preliminary meeting is available for code questions. Please contact Senior Plan Check Engineer, Keyvan Irannejad for an appointment at (408) 586-3245.
2. Roofing material shall be as per 2001CBC, Table 15-A.
3. Exit doors from assembly occupancy shall be provided with panic hardware as per Sec. 1007.2.5 and exit signs as per Sec. 1003.2.8.
4. Condensate from air-cooling coils and comfort-cooling equipment shall be collected and discharged to sanitary sewer as per City requirements.

ACCESSIBILITY

5. Provide locations of accessible seat spaces for wheelchair and semi-ambulant persons to comply with 2001 CBC, Section 1104B.3.1 and Table 11B.
6. An assistive-listening system shall be provided for persons with hearing impairments as per CBC 2001, Sec. 1104B.2.
7. All public and common areas shall be accessible.
8. People with disabilities accessible parking shall be provided as per 2001 CBC, Section 1118.A.1. Accessible parking spaces shall be dispersed and located closest to all accessible entrances as per Sec. 1129B.1.
9. Parking spaces shall be so located that persons with disabilities are not compelled to wheel or walk behind parked cars other than their own as per Section 1129B.4.3.
10. Accessibility signs shall be provided at every primary public entrance, at every major junction along or leading to an accessible route of travel and at building entrance that are accessible as per CBC 2001, Section 1107A.3.
11. All primary entrances and required exit doors shall be accessible to people with disabilities as per 2001 CBC, Section 1101.7.
12. All areas shall be accessible to the people with disabilities as per 2001 CBC, Sec. 1103.B.1.
13. Number of required fixtures shall be counted as required by 2001 CPC Table 4-1.
14. Based on the occupant load two water closets are required for women's restroom. Number of water closets for females shall be equal to the total number of water closet and urinals required for males as per Table 4-1 note 14.
15. All restrooms shall be fully accessible to people with disabilities as per 2001 CBC.
16. Provide drinking fountains as per 2001 CBC Sec. 2902.2.
17. Provide maneuvering clearances at doors as per 2001 CBC, Sec. 1133B.2.4.2.

Fire Department (for further information regarding these notes, contact Jaime Garcia, 408/586-3252)

Please do not consider this as approval from the Fire Department. Additional requirements may be made prior to permit issuance. These notes are provided to assist in the permit process.

1. The 2001 triennial edition of the California Code of Regulations, Title 24 (California Building Standards Code) applies to all occupancies that apply for a building permit on or after November 1, 2002, and remains in effect until the effective date of the 2004 triennial edition.
2. Submitted drawings are not reviewed nor approved for fire permits and construction. These notes are provided to assist with the Fire Department permit process.
3. Fire safety during construction, alteration or demolition of the building shall meet the requirements of Article 87, CFC.
4. Portable fire extinguishers shall be installed in occupancies and locations as set forth in the code, California Code of Regulations Title 19, Division 1, and Chapters 1 and 3 and as required by the Milpitas Fire Chief. Section 1002.1 CFC
5. Alterations to the automatic fire sprinkler system and/or the fire detection system requires drawings to be submitted to the Fire Department for review and approval prior to alteration.
6. If a new trash enclosure will be installed, combustible rubbish kept or accumulated within or adjacent to a building shall be stored in approved containers or in rooms or vaults constructed of noncombustible materials. Section 1103.2.1.2, CFC
7. If new trash enclosures will be installed, dumpsters and containers with an individual capacity of 1.5 cubic yards or more shall not be stored in buildings or places within 5 feet of combustible walls, openings or combustible roof eave lines unless area is protected by an approved automatic sprinkler system. Section 1103.2.2, CFC
8. The use of candles and other open-flame decorative devices in places of assembly and drinking or dining establishments shall be in accordance with Section 1109.8, CFC.
9. Drapes, hangings, curtains, drops, and other decorative material, including Christmas trees, that would tend to increase the fire and panic hazard, shall be made from material which is not flammable material or shall be treated and maintained in a flame-retardant condition by means of flame-retardant solution or a process approved by the chief. Section 2501.5, CFC.
10. When required by the Chief, a plan indicating the seating arrangement, location and width of exit ways and aisles shall be submitted for approval, and an approved copy of the plan shall be kept on display on the premises. Section 2501.14, CFC
11. A building housing Group A occupancies shall front directly on a public street or an exit discharge not less than 20 feet in width. The exit discharge to the public street shall be a minimum 20-foot-wide right-of-way, unobstructed and maintained only as access to the public street. Provide a clean and unobstructed 20 feet wide exit discharge from the main entrance to the public street. No parking is permitted in the area designated as exit discharge. Section 303.3, California Building Code. At time of building permit application, the required exit discharge shall be identified by red paint (paint curb) with note identification for "fire access".

12. Buildings or portions of buildings classed in Group A Occupancy, shall be limited to the types of construction set for in Table 5-B, and shall not exceed in area or height the limits specified in Sections 504, 505 and 506. Section 303.2.1, California Building Code
13. Required means of egress shall be provided with a continuous, unobstructed and undiminished path of exit travel from any occupied point in a building to a public way. Section 1001.1, California Fire Code
14. Aisle in assembly occupancies without fixed seats, the minimum clear aisle width shall be 36 inches where seats, tables, counters, furnishings, displays and similar fixtures or equipment are placed on one side of the aisle only and 44 inches when such fixtures or equipment are placed on both sides of the aisle. Section 2501.9.2 CFC
15. Exit doors from group A Occupancies shall not be provided with a latch or lock unless it is panic hardware. Section 2501.8.2 California Fire Code.
16. Any room (or area) having an occupant load of 50 or more where fixed seats are not installed, and which is used for assembly purpose, shall have the capacity of the room posted in a conspicuous place on an approved sign near the main exit from the room. Posting shall be by means of a durable sign having contrasting color from the background to which it is attached. Section 2501.16 CFC.
17. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more. Section 1207.2 CFC
18. Provide exit signs. Exit signs conforming to the requirements of Section 1003.2.8 CBC (California Building Code) shall identify the path of exit travel to and within exits in a building.
19. Graphics, illuminations, and power supply of exit signs shall be in accordance with Sections 1003.2.8.3, 1003.2.8.4, 1003.2.8.5, CBC.
20. The means of egress shall be illuminated at any time the building is occupied with light intensity of not less than 1-foot candle at the floor level. In the event of a failure, illumination shall be automatically provided from an emergency system such as storage batteries or on-site generator set and should be installed in accordance with the National Electrical Code. Sections 1003.2.9.1 and 1003.2.9.2 CBC.
21. The maximum flame-spread class of finish materials used on interior walls and ceilings shall be per Section 804.1, California Building Code
22. For the building permit process, provide and include on the drawings a description of the use for each classroom. The description shall include the occupancy classification, the occupancy division, the room size, the occupant load factor, the age of occupants, the education grade level, and the number of hours per week, the number of hours per day, and other information that clearly justifies the proposed occupancy classification.
23. No approval for any hazardous materials is included under this review.
24. Complete plans and specifications for all aspects of fire-protection systems shall be submitted to the Fire Department for review and approval prior to system installation. Section 901.2.2 and 1001.3, California Fire Code

CALVARY CHAPEL MILPITAS

Letter of Explanation

To Whom It May Concern:

Calvary Chapel Milpitas is proposing to occupy the space at 1757 Houret Ct. We are planning to use the proposed space for the following activities:

1. Weekly Worship Services

Once on Sunday Morning from 9:00 am to 12:00 pm and once on Wednesday evening from 7:00 pm to 9:00 pm. During these times the following activities will occur: Worship, Teaching, Religious Instruction which includes Sunday school for ages Nursery to 6th grade, and Fellowship.

2. Counseling

Conducted by Senior Pastor only on an as requested basis. Attendees counseled on religious issues, marriage and pre-marital, addiction, personal issues and problems from a Biblical perspective.

3. Church Administration

Paying bills and general office work.
Meeting of Boards and Committees

The proposed site requires that we change the existing building use to assembly/church use. The estimated attendance capacity for the proposed site is 150 to 160 individuals.

Contact Information:

*Jacob Denys
Senior Pastor
Calvary Chapel Milpitas
510-468-9379*

CALVARY CHAPEL MILPITAS
AUTOMOBILE OCCUPANCY AMOUNTS - AVERAGE

This survey was done at the Calvary Chapel FREMONT fellowship.

The average occupancy of people (adults and children) in cars at the Calvary Chapel Fremont church on March 30th - 9am fellowship = 3.8

On March 30th we had a total attendance of 180 people.
There were 47 cars in the parking lot.

PARKING SURVEY

CALVARY CHAPEL MILPITAS - 1757 Houret Ct.

Calvary Chapel Milpitas is proposing to start a church at 1757 Houret Ct with an estimated occupancy of 150 - 160 people.

A parking survey was conducted on two consecutive Sunday mornings and two consecutive Wednesday evenings (service times) during the hours of 8am-1pm on Sundays and 6pm to 10pm on Wednesdays. The purpose of this survey is to determine/verify the number of available and in-use parking stalls during operational hours. There are a total of 47 stalls available.

Date (Sunday)		Totals	
March 30 th	<u>Hour</u>	<u>In-Use</u>	
	8:00 am	6	
	9:00 am	8	
	10:00 am	11	
	11:00 am	16	
	12:00 pm	15	
	1:00 pm	7	
April 6 th	<u>Hour</u>	<u>In-Use</u>	
	8:00 am	6	
	9:00 am	9	
	10:00 am	13	
	11:00 am	17	
	12:00 pm	16	
	1:00 pm	10	
Date (Wednesday)		Totals	
March 26 th	<u>Hour</u>	<u>In-Use</u>	
	6:00 pm	8	
	7:00 pm	9	
	8:00 pm	12	
	9:00 pm	10	
	10:00 pm	7	
April 2 nd	<u>Hour</u>	<u>In-Use</u>	
	6:00 pm	9	
	7:00 pm	7	
	8:00 pm	7	
	9:00 pm	6	
	10:00 pm	7	

City of Milpitas

Planning Division

455 E. Calaveras Blvd., Milpitas CA 95035

(408) 942-5185

RESOLUTION NO. 168

A RESOLUTION REGARDING STANDARD CONDITIONS FOR COMMERCIAL DEVELOPMENT

WHEREAS, THE CITY PLANNING COMMISSION regards the site appearance of commercial development as being important to community pride,

WHEREAS, CERTAIN "STANDARD" CONDITIONS having consistently been required by the Planning Commission for commercial developments,

WHEREAS, THE CITY PLANNING COMMISSION wishes to aid developers in the preparation of the Site Plans for commercial developments, and to aid the Commission and staff in reducing the number of special conditions,

THEREFORE, BE IT RESOLVED, that the City Planning Commission shall require the following items to be noted on all plans submitted with building permit applications for all commercial developments:

1. Prior to issuance of a building permit, a landscape plan shall be submitted to and approved by the Planning Commission. Said plan shall indicate location and type of trees (deciduous or evergreen), shrubs and ground cover, including sizes and quantities. The applicant is encouraged to utilize mature trees at key areas or focal points on the site to compliment the existing or proposed on-site structures. The landscape plan shall comply with City Council Ordinance No. 238 (An ordinance of the City of Milpitas regulating efficient water use for new or rehabilitated landscapes and existing landscapes).
2. All planter areas shall be serviced by a sprinkler head or drip system.
3. All required landscaping shall be replaced and continuously maintained as necessary to provide a permanent, attractive and effective appearance.
4. Prior to issuance of an occupancy permit on this site, the required landscaping shall be planted and in place.
5. All landscaped planters adjacent to vehicle parking areas or travel lanes shall be contained by a full depth (6" above AC to bottom of structural section of adjacent paving) concrete curb. Where landscape planters abut a public street, a 24-inch deep water barrier shall be installed behind the curb. Plans indicating the curb elevations along public streets shall be approved by the City Engineer prior to construction.
6. All driveway approaches installed in the public right of way shall conform to Public Works Department standards.
7. Any public improvements on the frontage of the subject property that are now or that become damaged during construction shall be restored to the satisfaction of the City Engineer.

8. All on-site public and employee parking, accessways, driveways, loading or similar areas intended for public use shall be paved in accordance with MMC, Title II, Chapter 13, Section 18 as required for commercial developments.
9. All roof-top equipment shall be shielded from view in a manner to the approval of the Planning Commission or its designee as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code. Prior to the issuance of any permit for any roof-top equipment which projects above the height of any existing parapet wall or screen, detailed architectural plans for the screening of this equipment and/or a line-of-sight view analysis demonstrating that the equipment will not be visible from surrounding view points shall be reviewed and approved as specified in Section XI-10-42.10-2 of the Milpitas Municipal Code, in order to assure the screening of said equipment is in keeping with and in the interest of good architectural design principles.
10. In the event that a fill of over 18 inches above the natural grade is required at the rear or side property line, a grading plan shall be reviewed and approved by the Planning Commission prior to the issuance of a grading permit.
11. On-site utility transformers, boxes, etc. located at the front of the site shall be placed underground (subsurface vaults) or be located at the rear of the property and screened from public view in a manner to the approval of the Planning Commission. For new or relocated transformers or utility boxes on existing developed sites, refer to Section XI-10-42.10-2 of the Milpitas Municipal Code.
12. The applicant shall make changes as noted on Engineering Services Exhibit "S" and return one revised set of exhibit "S" and five sets of civil engineering drawings showing all proposed utilities to the Land Development Engineer for plan check.
13. Sidewalks in street rights-of-way shall be in accordance with Standard Drawing No. 426, and shall include 4'x4' tree wells with irrigation bubbler heads connected to the City's water system. The specific tree type and interval shall be determined by the Engineering Division. Trees shall be planted in accordance with Standard Drawing No. 448 (15 gallon minimum size).
14. Whenever on-site drainage is directed to the street right-of-way, either a connection to an underground system or through curb drains shall be installed. A plan of the system, as it affects the street right-of-way, shall be approved by the City Engineer prior to construction.
15. Any work within the City's right of way requires an encroachment permit from the Engineering Division of the Public Works Department.
16. All survey monumentations shall be protected in place. Any disturbed or covered monument shall be reset by a registered civil engineer or land surveyor at the direction of the City Engineer.
17. Site distance areas as indicated on the City standard drawing shall not be obstructed. Overall cumulative height of the grading, landscaping and signs within the sight distance area shall not exceed 2 feet.

CALVARY CHAPEL MILPITAS

1757 HOURET COURT, MILPITAS, CA95035

*3

REVISIONS	BY



SHEN DESIGN CONSULTING CO.
41197 ST. ANTHONY DR., FREMONT, CA 94539
VINCENYAN, (510) 800-9740

CALVARY CHAPEL MILPITAS
1757 HOURET COURT
MILPITAS, CALIFORNIA

DRAWN	JL
CHECKED	
DATE	4/7/95
SCALE	
JOB NO.	29/95
SHEET	

A-1

OF SHEETS

PROJECT TEAM

OWNER: REALTY CENTER
1352 LINCOLN AVENUE, SAN JOSE, CA95125
CONTACT: STEVE HANLEIGH, (408) 279-4844

TENANT: CALVARY CHAPEL MILPITAS
1757 HOURET COURT, MILPITAS, CA95035
CONTACT: JACOB DENYS, (510) 468-9379

ARCHITECT: SHEN DESIGN CONSULTING CO.
41197 ST. ANTHONY DR., FREMONT, CA94539
CONTACT: JOYCE L. LIU, (510) 918-0687

ENGINEER:

DRAWING INDEX

A-1 PROJECT SUMMARY/NOTES/VICINITY MAP
A-2 SITE PLAN, PARKING & ELEVATION
A-3 FLOOR DEMO PLAN & NEW FLOOR PLAN
A-4 CEILING PLAN & ROOF PLAN
A-5 DETAILS/NOTES/SH ENERGY REPORT
M-1 MECHANICAL PLAN, NOTE, DETAILS, T-24 MECH
E-1 LIGHTING PLAN, NOTES, T-24 LITG.

REFERENCE INDEX

A1 SITE PLAN
A2 SHELL FLOOR PLAN
A3 ELEVATIONS
A4 T1 FLOOR & CEILING PLAN
L1 LANDSCAPE PLAN

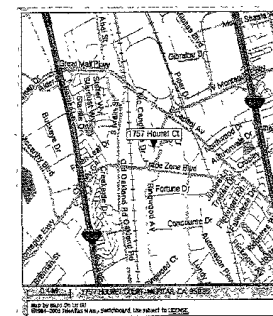
SCOPE OF WORK

CONVERT EXISTING INDUSTRIAL/OFFICE SPACE INTO A CHURCH. THE WORK INCLUDES:
- DEMO INTERIOR NON-BEARING WALL.
- INSTALL A NEW EXIST DOOR AT (E) WINDOW LOCATION.
- INSTALL PARTITION FOR NEW HALLWAY & ROOMS.
- REMOVE BATHROOM PARTITION FOR ACCESSIBILITY.
- REARRANGE PARKING FOR ACCESSIBLE PARKING.
- ADD NEW HVAC UNIT @ ROOF WITH ROOF SCREENS.
- RELOCATE LIGHTING FIXTURES, AIR SUPPLY/RETURN.
- OTHER MINOR INTERIOR REPAIR WORKS.

NOTES

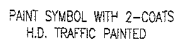
A SEPARATE PERMIT IS REQUIRED PRIOR TO THE INSTALLATION OF ANY FIRE PROTECTION SYSTEM OR COMPONENT. SUBMIT THREE SETS OF AFES SHOP DRAWINGS, CALCULATIONS, AND SPECIFICATIONS TO CITY OF MILPITAS FIRE DEPARTMENT FOR REVIEW AND APPROVAL.

VICINITY MAP

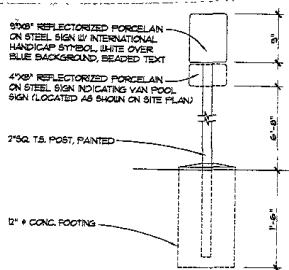


ABBREVIATION

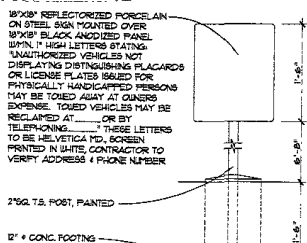
&	And	E.J.	Expansion Joint	LAB.	Laboratory	R.W.	Redwood
°	Angle	A	Elevation	LAM.	Laminated	R.W.L.	Rain Water Leader
#	Centerline	B	Beam	LAV.	Lavatory		
(C)	Centerline or Round	B.E.V.	Beam End View	LCK.	Locker		
(N)	North	ENC.	Enclosure	LIT.	Light		
AS	Anchor Bolt	ENCL.	Enclosure	MAS.	Masonry		
ACQUS.	Acoustic	E.P.	Electrical Panelboard	MED.	Medical		
A.D.	Area Drain	E.P.C.	Electrical Panelboard	MEX.	Mechanical		
AOL	Asbestos	E.P.C.	Electrical Panelboard	MIB	Membrane		
AGGR.	Aggregate	E.P.C.	Electrical Panelboard	MIB	Membrane		
ALT.	Alternate	E.P.C.	Electrical Panelboard	MIB	Membrane		
A.P.	Access Panel	E.P.C.	Electrical Panelboard	MIB	Membrane		
APPROX.	Approximate	E.P.C.	Electrical Panelboard	MIB	Membrane		
ARCH.	Architectural	E.P.C.	Electrical Panelboard	MIB	Membrane		
ASPH.	Asphalt	E.P.C.	Electrical Panelboard	MIB	Membrane		
A.F.F.	Above Finish Floor	E.P.C.	Electrical Panelboard	MIB	Membrane		
B.B.	Bulletin Board	E.P.C.	Electrical Panelboard	MIB	Membrane		
B.S.	Boring	E.P.C.	Electrical Panelboard	MIB	Membrane		
B.L.	Bleed	E.P.C.	Electrical Panelboard	MIB	Membrane		
B.M.	Bench Mark	E.P.C.	Electrical Panelboard	MIB	Membrane		
B.T.	Bolt	E.P.C.	Electrical Panelboard	MIB	Membrane		
CAB	Cabinet	E.P.C.	Electrical Panelboard	MIB	Membrane		
C.B.	Catch Basin	E.P.C.	Electrical Panelboard	MIB	Membrane		
C.B.M.	Cast in Place	E.P.C.	Electrical Panelboard	MIB	Membrane		
C.C.	Concrete	E.P.C.	Electrical Panelboard	MIB	Membrane		
C.C.G.	Construction Joint	E.P.C.	Electrical Panelboard	MIB	Membrane		
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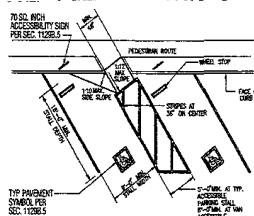
ACCESSIBLE SIGN



ACCESSIBLE PARKING SIGN



TOW-AWAY SIGN

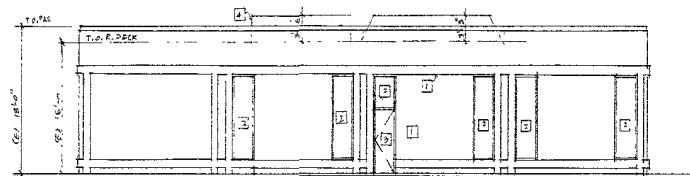


DIAGONAL PARKING STALLS
FIGURE 11B-18C

ACCESSIBLE PARKING STALL (TYP)

ELEVATION NOTES

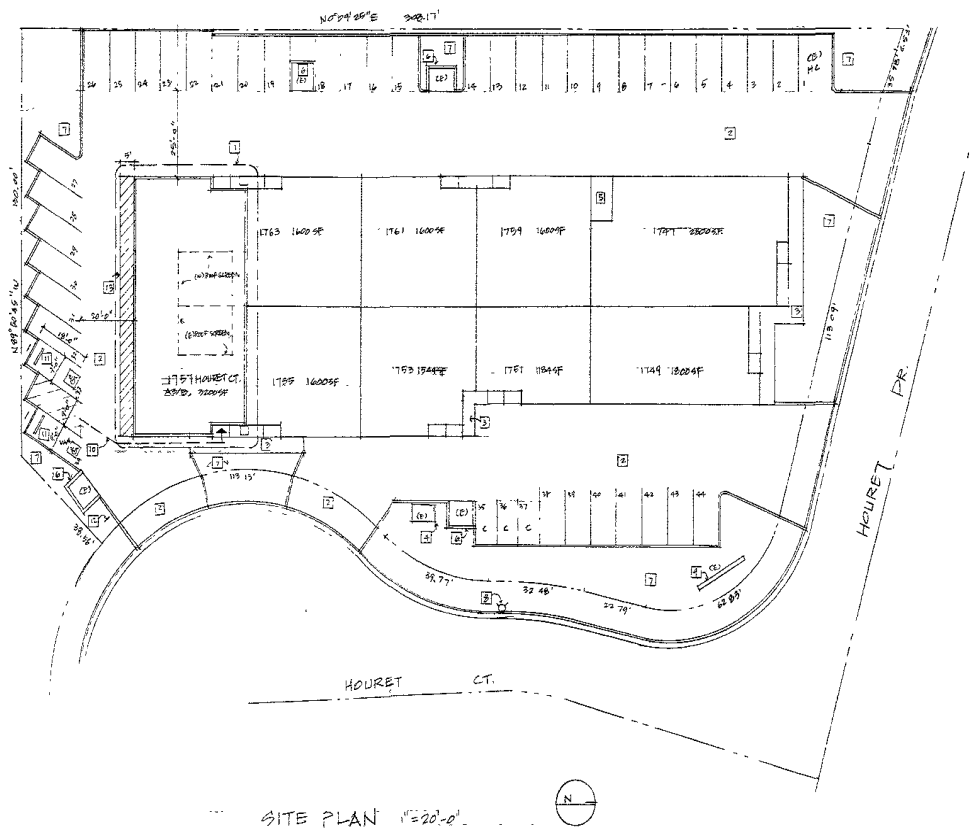
- 1 EXISTING CONCRETE WALL & BAND TO REMAIN
2 EXISTING WINDOW TO REMAIN
3 NEW METAL DOOR @EXIST WINDOW LOCATION,
4 PAINT TO MATCH EXISTING BAND, BLUE GRAY
5 NEW HVAC ROOF SCREEN, 6" HIGHER THAN UNIT



SOUTH ELEVATION $\frac{1}{2}'' = 1' - 0''$

SITE PLAN NOTES

- 1 AREA OF WORK
2 EXISTING DRIVEWAY TO REMAIN
3 EXISTING WALKWAY TO REMAIN
4 EXISTING TRANSFORMER TO REMAIN
5 EXISTING METER ROOM TO REMAIN
6 EXISTING TRASH ENCLOSURE TO REMAIN
7 EXISTING LANDSCAPE TO REMAIN
8 EXISTING FIRE HYDRANT TO REMAIN
9 EXISTING MONUMENT SIGN TO REMAIN
10 ACCESSIBLE ROUTE OF TRAVEL TO ENTRANCE
11 NEW HK PARKING SPACES (1 VAN ACCESSIBLE)
12 NEW TOW-AWAY SIGN
13 NEW 5' WHITE PAINTED STRIPPING FOR FIRE-LANE
NO PARKING AREA



SITE PLAN 1"=20'-0"

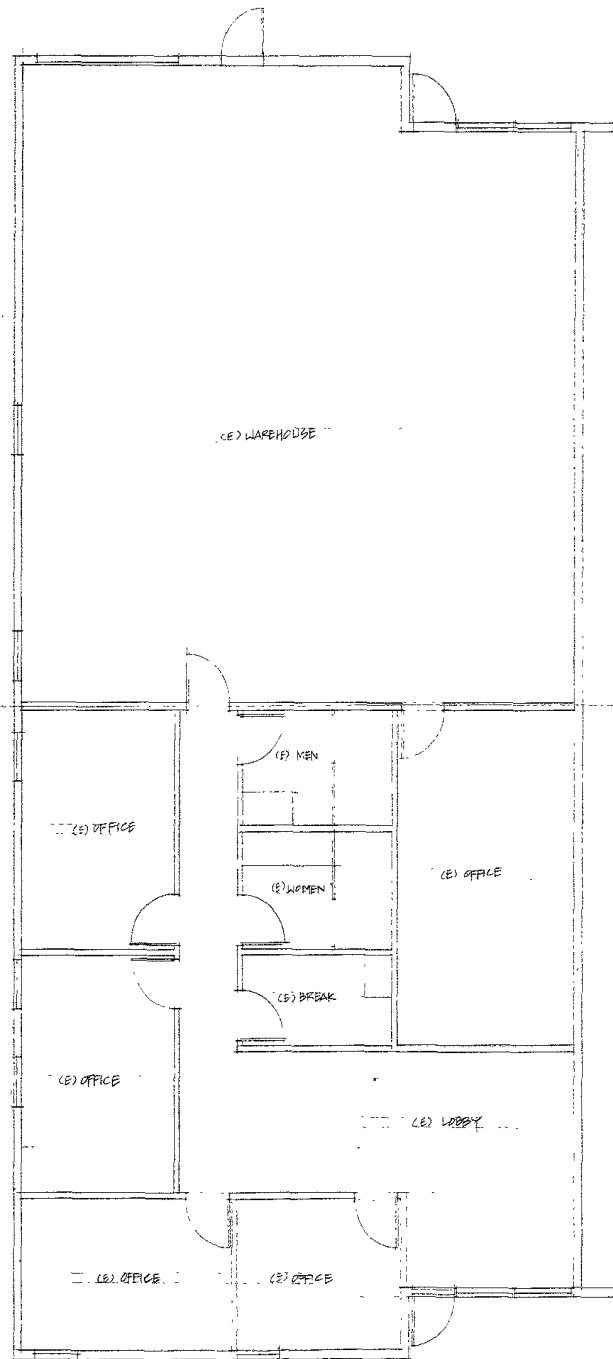
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41197 ST. ANTHONY DR., FREMONT, CA 94539
VOICE/FAX: (510) 659-9740

CALVARY CHAPEL MILPITAS
1757 HOURS' COURT
MILPITAS, CA 95035

DRAWN
JW
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DATE
4/7/02
SCALE
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2305
SHEET

A-2



WALL LEGEND

- EXISTING WALL TO REMAIN
- NEW 2x4 WD STUD WALL @ 16" O.C., 9'
- CEILING HIGH SEE DETAIL
- EXISTING OPENING INFILLED
- EXISTING NON-BEARING WALL REMOVED

FLOOR PLAN NOTES

- EXISTING ROOM TO REMAIN
- EXISTING WALL/DOOR REMOVED
- EXISTING RESTROOM PARTITION REMOVED
- EXISTING ROOF RAIN WATER LEADER
- SEATING AREA
- SOUND SYSTEM
- PULPIT (NO RAISED PLATFORM)
- BAND INSTRUMENT AREA
- ROOM CAPACITY POSTING
- NEW DOORS SEE DOOR SCHEDULE
- NEW 4"x4" WINDOW
- PANIC HARDWARE ON ALL EXIT DOORS
- SIGN ON THE DOOR "THIS DOOR MUST REMAIN UNLOCKED WHEN THE BUILDING IS OCCUPIED"
- 1/2" TALL UP DOOR TO REMAIN

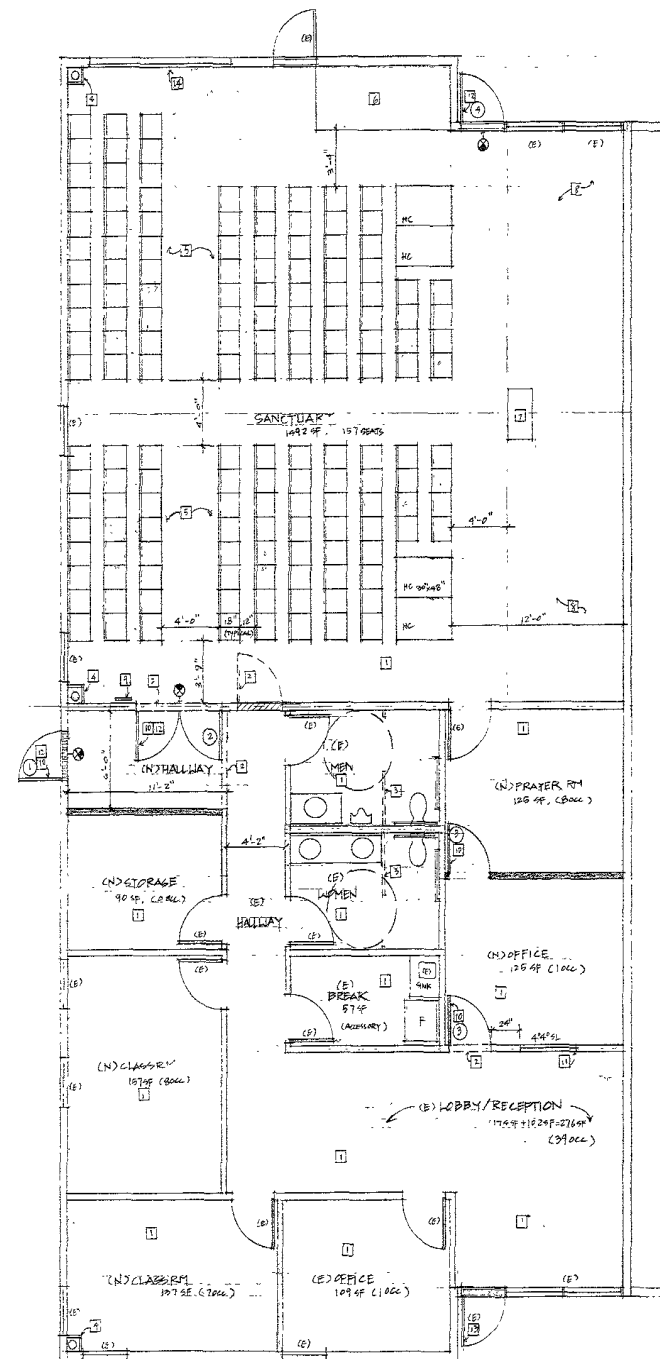
PLUMBING FIXTURE COUNT PER UBC T-A-29-A:

REQUIRED FOR WORSHIP PLACES: (30SF PER OCCUPANT)

ASSEMBLY AREA
WC (M) 1 PER 150 OCC., WC (F) 1 PER 75 OCC.,
LAV: 1 PER 2WC;
EDUCATION AREA
WC (M) 1 PER 125 OCC., WC (F) 1 PER 75 OCC.,
LAV: 1 PER 2WC.

PROPOSED FOR THE CHURCH: (30SF PER OCCUPANT)

OCCUPANT COUNT
59 FOR SANCTUARY, 18 FOR OTHER SPACES
77 (TOTAL), MALE 39, FEMALE 39
FIXTURE PROPOSED (EXISTING)
WC (M) 1, WC (F) 1, UNIKAL 1,
LAV (M) 1, LAV (F) 2 OK.



REVISIONS	BY

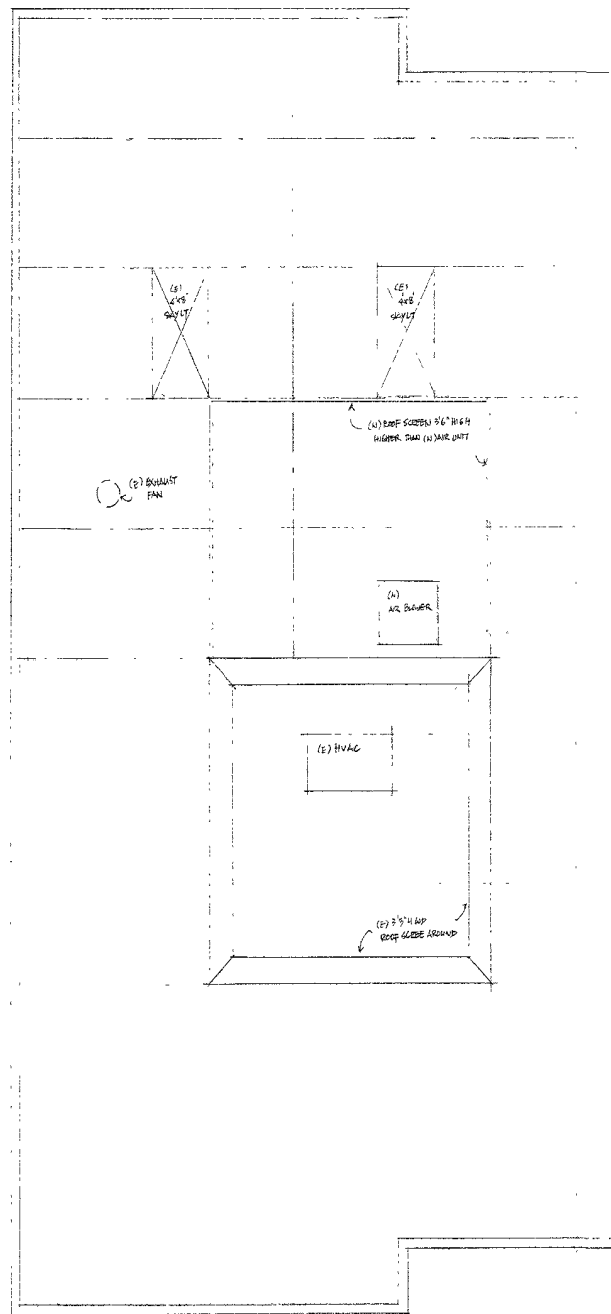


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ANTHONY D.R. PRUMONI, CA 94370
410781 VOICEMAIL (510) 639-9740

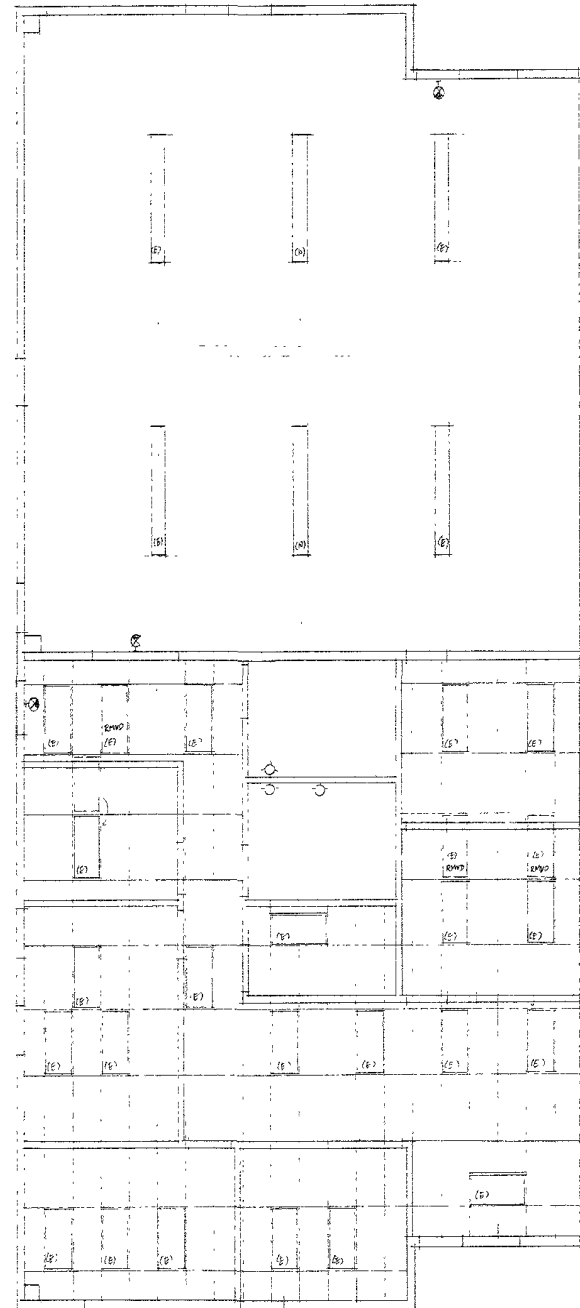
CALVARY CHAPEL MILPITAS
1257 HUBBARD COURT
MILPITAS, CA 95035

DRAWN	JLL
CHECKED	
DATE	4/17/05
SCALE	AS SHOWN
JOB NO.	23-15
SHEET	

A-3



ROOF PLAN 1/8"=1'-0"



REFLECTED CEILING PLAN 1/8"=1'-0"

REVISIONS	BY

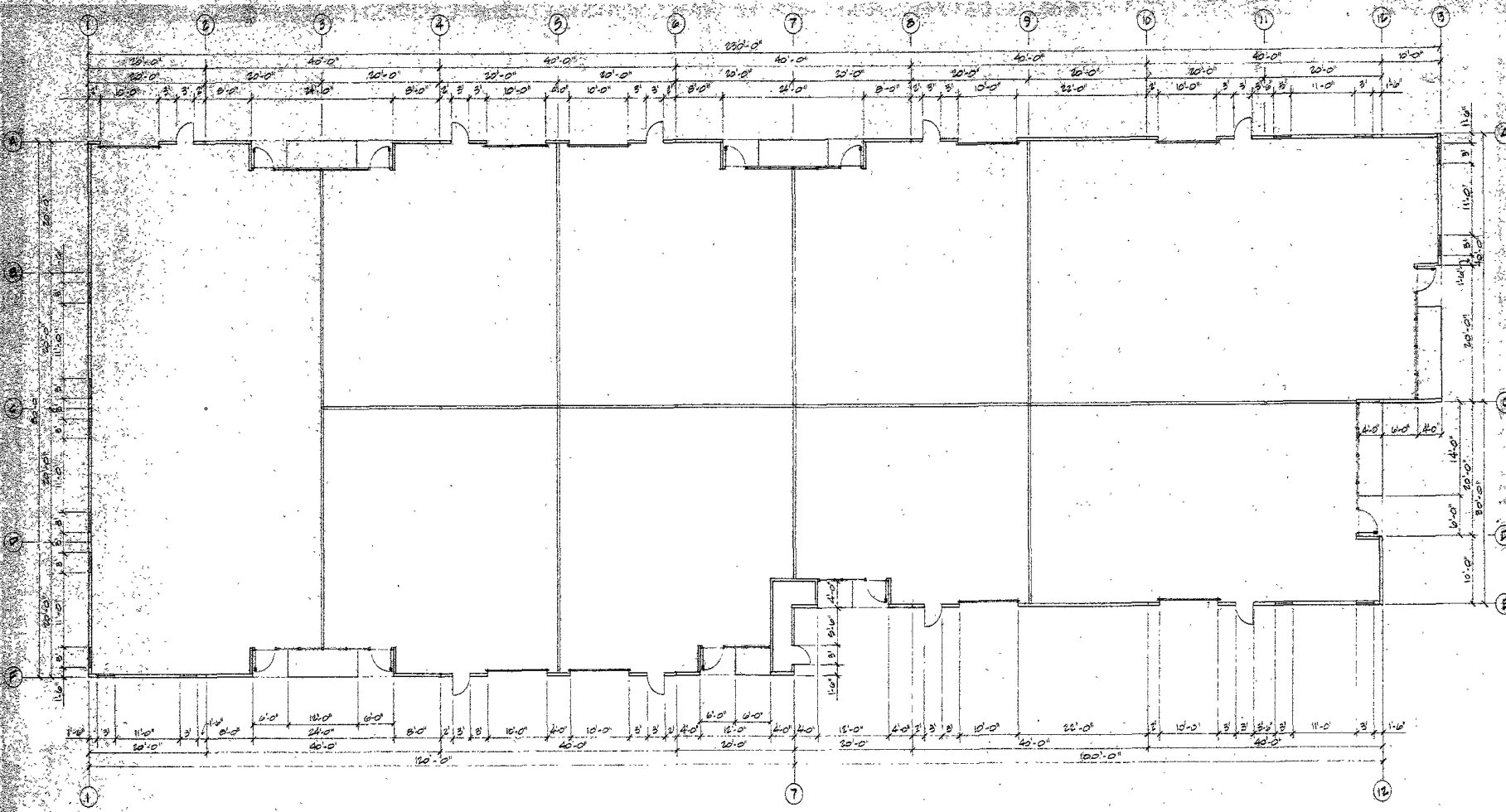


SHEN DESIGN CONSULTING CO.
ANTHONY DR. BREMONT, CA 94539
VOICE/FAX: (510) 669-9760

CALVARY CHAPEL MILPITAS
177 THORNTON COURT
MILPITAS, CA 95035

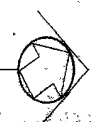
DRAWN	1/24
CHECKED	
DATE	4/7/13
SCALE	AS SHOWN
JOB NO.	2305
SHEET	

A-4



FLOOR PLAN

SCALE: 1/8" = 1'-0"



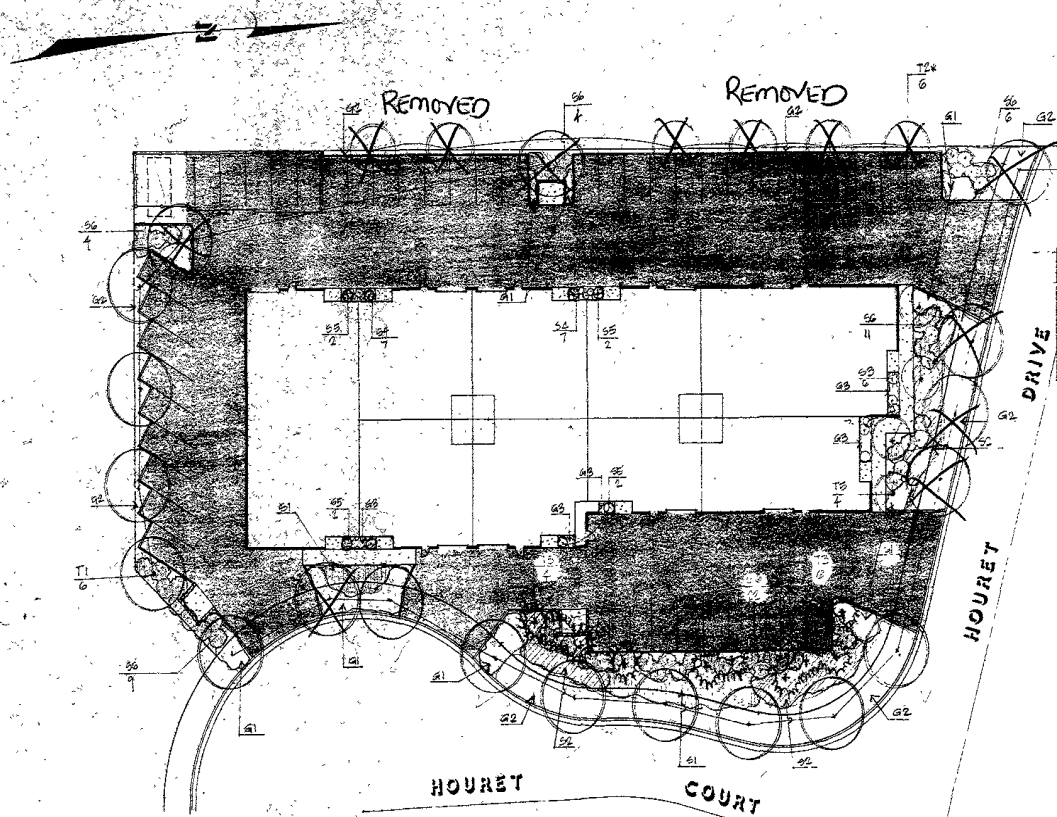
**LINES
UNLIMITED**

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All ideas, designs and arrangements and plans indicated or represented by this drawing are owned by, and the property of, LINES UNLIMITED, and are for the exclusive use of LINES UNLIMITED.
Written dimensions on these drawings take precedence over scaled dimensions.

FLOOR PLAN
PALMISANO BUILDING
HOURET COURT
MILPITAS CALIFORNIA

REV	DATE	BY	APP
1	6/22/79	JOHNSON	
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

JOB NO. 7911
SHEET
A 2
OF SHEETS



PLANT SCHEDULE

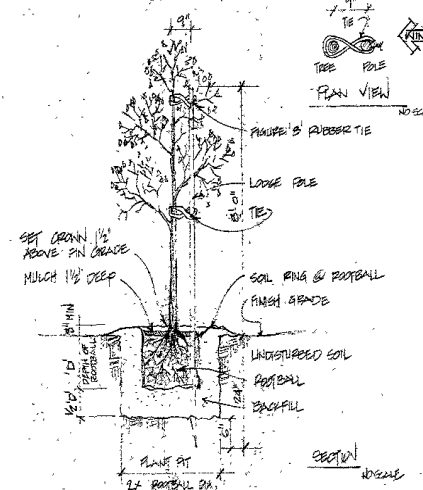
KEY	BOTANICAL NAME	COMMON NAME	SIZE	QTY	REMARKS
56	PISTACHIA NUTANS	EUROPEAN SHAMAL ASH	10 GAL	6	PLANT IN 2" AFTER DRAINING
57	LIQUIDAMBAR ORIENTALIS	ORIENTAL BURNING BUSH	10 GAL	10	STATION AS SHOWN TO BE PLANT
58	FINUS CANADENSIS	CANARY ISLAND PINE	10 GAL	10	OF ONE OVERHANG
59	PISTACHIA NUTANS	CHERRY PETALS	10 GAL	10	
60	PISTACHIA NUTANS	EUROPEAN PINE	10 GAL	4	
61	LIQUIDAMBAR ORIENTALIS	ORIENTAL BURNING BUSH	10 GAL	1	PLANT 2" 26" O.C.
62	LIQUIDAMBAR ORIENTALIS	ORIENTAL BURNING BUSH	10 GAL	1	PLANT 2" 26" O.C.
63	LIQUIDAMBAR ORIENTALIS	ORIENTAL BURNING BUSH	10 GAL	1	PLANT 2" 26" O.C.
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100	LIQUIDAMBAR ORIENTALIS	ORIENTAL BURNING BUSH	10 GAL	1	PLANT 2" 26" O.C.

PLANT LEGEND

TS - INDICATES PLANT KEY
S - INDICATES PLANT COUNT

NOTES

1. ALL PLANTING AREAS SHALL HAVE NITROGENIZED REDUCED OR OTHER COMPOST AT A RATE OF 5-10-5 PER 1000 SQ FT TILLED IN 6" DEEP.
2. BENCHES PREPARED FOR TREE & SHrub HOLES SHALL BE 50% NITROGENIZED SANDWICH AND 50% NITROGENIZED SANDWICH.
3. ALL BENCHES MUST BE CLEAN, FREE FROM DEBRIS, ROCKS, OR OTHER DEBRIS. ADDITIONAL MATERIAL SHALL BE REQUIRED TO ALLOW FOR SETTLEMENT.
4. GENERAL CONTRACTOR SHALL PLACE BENCHES MATERIAL AND BENCH GRADE, ROUGH GRADES ADJACENT TO BENCHES SHALL BE 2" BELOW TOP OF BENCHES & CURBS.
5. LANDSCAPE CONTRACTOR SHALL FINE GRADE BENCHES TO CONFORM WITH CURBS AS SHOWN & TO BEING FINE GRADES UP TO 1" MAXIMUM BELOW TOP OF BENCHES & CURBS.
6. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE BEST STANDARDS OF PRACTICE RELATING TO THE VARIOUS TRADES AND UNDER THE CONTINUOUS SUPERVISION OF A COMPETENT FOREMAN CAPABLE OF INTERPRETING THE DRAWINGS. SAID WORK SHALL CONSIST OF FURNISHING ALL LABOR & MATERIALS REQUIRED TO PERFORM ALL PLANTING AS SHOWN ON THE PLAN.
7. ALL PLANTS SHALL BE HEALTHY, CHARMER, WELL ROOTED SPECIMENS GROWN IN NUTRIENT RICH MEDIA BY THE STATE DEPARTMENT OF AGRICULTURE. PLANT MATERIAL SHALL BE PROTECTED & MAINTAINED DURING CONSTRUCTION & GUARANTEED FOR 90 DAYS.
8. SUBSTITUTION OF ANY PLANT MATERIAL SHALL NOT BE ALLOWED WITHOUT WRITTEN APPROVAL OF THE LANDSCAPE ARCHITECT.
9. ALL TREES SHALL BE STAKED AS PER DETAIL.
10. ALL PLANTING AREAS SHALL BE TREATED WITH SUREPLAN WEED CONTROL, APPLIED AS PER MANUFACTURER'S SPECIFICATIONS.
11. ALL PLANTING AREAS SHALL BE TOP DRESSED WITH 1" MINIMUM OF MUD BARK CHIP.
12. LANDSCAPE CONTRACTOR SHALL SUBMIT SAMPLES TO LANDSCAPE ARCHITECT FOR APPROVAL.
13. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR A 90 DAY MAINTENANCE PERIOD.
14. INSPECTIONS SHALL BE MADE BY LANDSCAPE ARCHITECT OR REPRESENTATIVE.
15. CONTRACTOR SHALL REQUEST INSPECTION AT LEAST 2 DAYS PRIOR TO THE INSPECTION REQUIRED.
1. PLANT MATERIAL INSPECTION PRIOR TO LAYOUT.
2. INSPECTION PRIOR TO PLANTING.
3. FINAL INSPECTION UPON COMPLETION OF ALL WORK PRIOR TO COMMENCEMENT OF MAINTENANCE PERIOD.



REVISIONS

BY

DATE

SCALE 1/8" = 1'-0"

DRAWN BY

JOB

SHEET

OF SHEETS

FRANKLIN ASSOCIATES

LANDSCAPE ARCHITECTS

9100 VILLA ST SUITE 200

LA JOLLA, CA 92037

(619) 451-1000

DATE

SCALE 1/8" = 1'-0"

DRAWN BY

JOB

SHEET

OF SHEETS